

ENTERED

November 30, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA §
 §
VS. § MAGISTRATE NO. 2:17-MJ-1202-1
 §
JAVIER DE LEON JR; aka JOKER; aka §
JAVIER DE LEON GUTIERREZ JR. §

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There are no conditions or combination of conditions that would reasonably secure the presence of the Defendant; and
- (2) There are no conditions or combination of conditions that will reasonably assure the safety of the community.

The evidence against the Defendant is substantial. The Defendant admitted he knew he was moving an undocumented alien. The findings and conclusions contained in the Pretrial Services Report are adopted. The Defendant has several convictions for assaultive behavior, and has a serious drug problem. The Defendant failed to comply with court-ordered conditions of release in the past. There is no plan for his release, as it would not be appropriate for him to return to living with his sister, who was in the vehicle when the offense was committed. He is a poor bond candidate.

The Defendant is committed to the custody of the United States Marshal or his

designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 30th day of November, 2017.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE